Calendar No. 959

82D CONGRESS, 1st Session | SENATE | REPORT No. 1002

PATRICIA ANN EDDINGS

OCTOBER 16 (legislative day, OCTOBER 1), 1951.—Ordered to be printed

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OCT 29 1951
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Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 4922]

The Committee on the Judiciary, to which was referred the bill (H. R. 4922) for the relief of Patricia Ann Eddings, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the racial barrier to admission into the United States in behalf of the minor half-Japanese child in the custody of Lt. and Mrs. James C. Eddings, Jr., citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill was born in Japan on February 20, 1947, of a Japanese mother and an unknown American soldier father. The child has been released from the Evangelical Orphanage near Tokyo to Lt. and Mrs. James C. Eddings, Jr., who are citizens of the United States. Lieutenant Eddings has been appointed guardian of the little girl by the Tokyo Domestic Relations Court.

Congressman J. Percy Priest, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and submitted the following information in support of the bill:

WING LEGAL OFFICE,
374TH TROOP CARRIER WING (H),
APO 704, July 10, 1951.

Hon. J. PERCY PRIEST,
United States Representative, Sixth District of Tennessee,
House Office Building, Washington, D. C.

DEAR SIR: As the wing legal officer at Tachikawa Air Base, I have been requested to advise First Lt. and Mrs. James C. Eddings, Jr., of Nashville, Tenn., in connection with their adoption of a Japanese child. After consulting with them

at length and guiding their case through the Japanese court, I am taking the liberty of seeking your assistance in the furtherance of this matter.

The background of the adoption is this: An abandoned child, born about February 20, 1947, was taken into the home of an Australian couple, Mr. and Mrs. Dwyer, in Jure, Japan. These people had every intention of adopting this child, whom they had named Patricia; however, as the enclosed letter from Chaplain W. H. D. Wallace of the British Commonwealth Occupation Force in Japan sets out, the immigration laws of Australia, as in the United States, contain an oriental exclusion clause which this Australian couple was not able to surmount. When these people left Japan, the child was put in the Evangelical Orphanage near Tokyo on the 21st of October 1948. The enclosed letter from Miss Gertrud E. Kuecklich, missionary, head of the orphanage, sets out in part what I have recounted here. Lieutenant and Mrs. Eddings have made a home for this little girl for approximately 6 months and are extremely anxious to take affirmative steps to adopt this child.

On behalf of the Eddings, I filed a petition in the Hachioji branch of the Tokyo Domestic Relations Court requesting that the court, having jurisdiction in this matter, appoint Lieutenant Eddings guardian for this little girl, whose Japanese name is Mie Okayasu. Copies of the decree of the court in both Japanese and English affirming the appointment as guardian are enclosed. There is enclosed, also, a decree of the court establishing a census register for this child, whose status as abandoned had heretofore not been recorded by the Japanese Government. A copy of the census register established for this child is enclosed in both Japanese and English, and you will note that it carries the decision of the court appointing Lieutenant Eddings guardian for this child.

There is enclosed, also, a letter from the wing chaplain of this base and many letters of recommendation from persons who know the Eddings and are familiar with the home being made for this little child. I have had both Lieutenant and Mrs. Eddings execute brief personal history statements in the form of affidavits setting forth pertinent and illuminating information about their respective backgrounds. Enclosed, also, is a statement from the Chief of the Passport Section of the Japanese Ministry of Foreign Affairs to the effect that upon compliance with the laws of the United States, a Japanese passport may be issued to this little girl on the strength of the court's appointing Lieutenant Eddings as her guardian. Needless to say, both personally and officially, I heartily endorse the prospective immigration, naturalization, and adoption of this child.

Therefore, I am addressing this letter to you to request that you draft and present to the Congress a private bill on behalf of First Lt. and Mrs. James C. Eddings, Jr., which legislation would permit the entry of this child into the United States for the purpose of adoption by this couple. The Honorable Tom Pickett, of the Seventh District of Texas, at my request, drafted similar legislation on behalf of Staff Sgt. and Mrs. E. H. Shelton. This bill became House Resolution No. 1264 presented to the Eighty-second Congress, first session, on January 9, 1951. Mr. Pickett advised me that on March 6, 1951, this bill passed the House and was sent to the Senate. On May 14, 1951, this bill was signed by the President, becoming Private Law 43 of the Eighty-second Congress, chapter 72, first session. The success of this bill, which was the first in a series of private legislation requested by foster parents on this base, was a source of great satisfaction to all of us here in Japan. Similar legislation is now being processed by the Honorable Mike Mansfield, of the First District of Montana; by the Honorable Bob Sikes, of the Third District of Florida; by the Honorable Charles B. Hoeven, of the Eighth District of Iowa; and by the Honorable Hamer H. Budge, of the Second District of Idaho, for the relief of the adopted children of other couples on this base.

I am, at this time, addressing letters similar to this one, to the Honorable Antonio M. Fernandez, Representative at Large from the State of New Mexico, on behalf of Tech. Sgt. and Mrs. John W. Hammers, and to the Honorable William H. Harrison, Representative at Large from the State of Wyoming, on behalf of Staff Sgt. and Mrs. Crystal C. Harris. Since the cases for the Hammers' and the Harris' should also be in their initial stages, you may desire to confer with Mr. Fernandez and Mr. Harrison on the potentialities and progress of these private bills. You will note that in the Eddings case we have elected to proceed on the theory of the appointment of Lieutenant Eddings as guardian for this child rather than to petition the court for formal adoption under the laws of Japan. I feel that since most of the couples who have adopted these children in the Japanese courts will want to affirm this adoption in an action under the laws of their State in order to clearly establish the inheritance rights within that jurisdiction, that

petitions for the appointment of guardians will suffice to establish claim to the issuance of a Japanese passport and also as a display of good faith to Congress.

Your help in this matter will be greatly appreciated. In the event that you find that other supporting information might be needed, or know of any further assistance that I might render in the support of the passage of this bill, kindly advise me accordingly. I am sure that you realize the need for haste in that an evacuation of dependents or the rotation of the adopting parents before passage of this bill would result in this child's being left behind.

Anticipating that you will be so kind as to consent to act on behalf of this couple, permit me to thank you in advance for your courtesy in this instance.

With kindest personal regards, I am

Very sincerely yours,

GEORGE J. GOLDSBOROUGH, Jr.,
First Lieutenant, United States Air Force, Wing Legal Officer.

WING LEGAL OFFICE,
374TH TROOP CARRIER WING (H),
APO 704, July 11, 1951.

Hon. J. PERCY PRIEST,
United States Representative, Sixth District of Tennessee,
House Office Building, Washington, D. C.

DEAR SIR: My letter of July 10, 1951, re 1st Lt. and Mrs. James C. Eddings, Jr., and attached file in connection with their request for private legislation left in yesterday's mail. Since that time other enclosures have come to my attention in addition to certain information that I thought would be useful to you. I apologize for creating the impression of pressuring this matter too diligently, but I thought it best to attempt to get the file complete before you had had time to work into it extensively.

Enclosed please find a copy of a letter addressed to the Honorable Kenneth D. McKellar, United States Senator from Tennessee, by the Honorable Ben West, mayor of the city of Nashville. Mr. West's letter to Senator McKellar appears to have left the impression that the little girl in question is of American extraction. She is, in fact, the child of an American father and a Japanese mother, but the identity of the father is unknown and unavailable, making it impossible to establish the child's right to American citizenship through the acknowledgment by her father of his paternity. For this reason, it appears that the only available procedure is that outlined in my first letter. I bring to your attention the fact that Senator McKellar has been informed of this matter as a means of suggesting that he might consent to act as proponent of the bill when presented to the Senate.

Enclosed herewith are letters from the Honorable Ben West, mayor of the city of Nashville, Mr. Hardin H. Conn, of the bar, State of Tennessee, and from Mr. Charles W. Pope, executive secretary of the Tennessee Baptist Convention, all recommending that the proposed private legislation be favorably considered.

Your courtesy in extending your assistance in this matter will be deeply appreciated by both Lieutenant and Mrs. Eddings and all of us here in Japan who consider the charitable work of these foundling homes most worthy of continued support. With kindest personal regards, I remain

Very sincerely yours,

GEORGE J. GOLDSBOROUGH, Jr.
First Lieutenant, United States Air Force, Wing Legal Officer.

CITY OF NASHVILLE,
Nashville, Tenn., July 3, 1951.

In re passport clearance for Patricia Ann Eddings, age 3½, adopted daughter of Lt. James E. Eddings and wife, Mrs. Nancy Eddings.

To Whom It May Concern:

I have been informed that Lt. James E. Eddings and wife, Mrs. Nancy Eddings, citizens of Nashville, whose home address is care of Mr. J. F. Brown, 1026 North Fifth Street, Nashville, Tenn., who are now located in Japan, have been ordered to return to this country, and that they are having some difficulty concerning the passport clearance for the little girl they adopted from one of the Christian orphanges in Japan.

I am informed they have had this child for some time, and want to bring her back to our city to their home.

Lieutenant Eddings' father for many years was a minister in our community, and Lieutenant Eddings was graduated from East Nashville High School. Mrs. Eddings' parents still reside in this city, and I sincerely recommend both Lieutenant Eddings and his wife and their respective families as fine Christian, home-loving, patriotic American citizens. Mrs. Eddings has been an active Christian worker in the Baptist Church since childhood.

Any courtesy or help show these Nashville citizens will be sincerely appreciated by me.

Yours very sincerely,

BEN WEST, *Mayor.*

NASHVILLE, TENN., *July 2, 1951.*

In re petition of Lt. James E. Eddings and wife, Mrs. Nancy Eddings, for adoption of Patrica Ann Eddings.

To Whom It May Concern:

I am informed that Lt. James E. Eddings and wife, Mrs. Nancy Eddings, are now located in Japan and that Lieutenant Eddings' address is Officers Mail, APO 704, care of postmaster, San Francisco, Calif. That they have had in their custody for some time a little girl, Patrica Ann, who was taken from one of the orphanages in Japan and that they are seeking to adopt this child in order to bring her back to America with them as a member of their family.

I am pleased to give this word of recommendation for Lieutenant Eddings and his wife. I have known the parents of Mrs. Eddings for many years andknow that they are good, sound, reliable, Christian people who have established and built their home on the right foundation.

It is my information from reliable sources that Mrs. Eddings has been an active Christian worker in her church since childhood and bears a fine reputation for morality and sobriety. From all the information available I am of the opinion that this couple would make ideal parents for this child, would provide for her adequately and rear her properly under a high standard of morality, looking to an education and training of the child to become a valuable citizen and member of their family.

I hope that their petition for adoption will receive careful consideration and favorable action.

Yours very truly,

HARDIN H. CONN.

EXECUTIVE BOARD,
TENNESSEE BAPTIST CONVENTION,
Nashville 3, Tenn., July 3, 1951.

Re petition of Lt. James E. Eddings and wife, Mrs. Nancy Eddings, for adoption of Patricia Ann Eddings

To Whom It May Concern:

I understand that Lt. James E. Eddings and wife, Mrs. Nancy Eddings, are now located in Japan, and that Lieutenant Eddings has been ordered to return to the United States. I further understand that some time ago they secured from an orphanage a little girl named Patricia Ann, and that they are seeking to adopt the child and bring her to the United States with them.

I am happy to give this recommendation for Lieutenant Eddings and his wife. Lieutenant Eddings comes from a well-known Nashville family. The father of Lieutenant Eddings is a member of one of our Baptist churches in Nashville, Tenn. They are reputable, law-abiding, and desirable citizens. I further understand that Mrs. Eddings is an active Christian worker in her church and a young woman of splendid character.

I trust that their petition for adoption will receive careful consideration and favorable action.

Sincerely,

CHAS. W. POPE,
Executive Secretary.

OFFICE OF THE WING CHAPLAIN,
374TH TROOP CARRIER WING (H),
APO 704, June 23, 1951.

To Whom It May Concern:

I have had the opportunity of associating with Lt. and Mrs. James E. Eddings. He has been here on the base with me for over a year and a half. Both have attended Protestant religious services here in the chapel quite regularly. I consider them to be most conscientious in the assumption of their responsibilities, and quiet and reserved by nature.

Lieutenant and Mrs. Eddings have not been able to have any children of their own and they have fallen very much in love with this little child. I consider it one of the finest things that could happen to both them and the child to grant an adoption. I feel that both of them will very conscientiously do all within their power to raise this child in the christian atmosphere that all of us would want a child to be raised.

With due consideration and with a fine understanding of Lt. and Mrs. James E. Eddings I recommend that they be granted permission to adopt this child that they love so much.

MAURICE D. FULKERSON,
Chaplain (Major), United States Air Force, Wing Chaplain.

HEADQUARTERS, 374TH TROOP CARRIER WING (H),
APO 704.

I, James E. Eddings, First Lieutenant, United States Air Force, after having been read the Thirty-first article, UCMJ, and after having been told that it is not necessary for me to answer any questions that might tend to degrade me or to incriminate me, and that any statement made by me may be used against me, hereby make the following statement:

I, James E. Eddings, was born in Waynesboro, Tenn., on June 14, 1927. I am the son of a Protestant minister and attended various grade schools throughout the central part of the State. I attended the Clarksville and East Nashville High Schools, and Sewanee University.

I served approximately 1 year in the United States Navy during World War II and entered the Air Force in 1948. I met my wife in December 1948, at her home in Nashville, Tenn., and we were married in Franklin, Ky., in October 1949. I came to Japan and she joined me here in March 1950.

I am a commissioned officer in the United States Air Force and feel that I can adequately support my wife and child.

JAMES E. EDDINGS,
First Lieutenant, United States Air Force.

Subscribed and sworn to before me this 29th day of June 1951.

GEORGE J. GOLDSBOROUGH, Jr.,
First Lieutenant, United States Air Force, Legal Officer.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4922) should be enacted.

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